

United States Senate

WASHINGTON, DC 20510

April 9, 2019

The Honorable Mick Mulvaney
Acting White House Chief of Staff
Director, Office of Management and Budget
1600 Pennsylvania Ave., NW
Washington, DC 20500

Dear Mr. Mulvaney:

We write with concerns about the Administration's increasing use of overseas contingency operations/global war on terrorism (OCO/GWOT) funding for matters that have nothing to do with military deployments abroad. We acknowledge that previous Congresses and Administrations included elements of base funding in OCO/GWOT accounts in the past, but this administration's decisions are particularly egregious. Continuing this practice is neither sustainable nor responsible.

In September 2010, the Office of Management and Budget directed the Department of Defense to apply criteria to items proposed for OCO/GWOT funding. This common-sense step towards reining in the use of this off-the-books spending directed that the spending be used for overseas operations, to replace equipment damaged in war, and for certain activities that directly support deployed troops. We expect that you would agree that the criteria were not perfect, but a positive step in containing what had become a slush fund.

In the National Defense Authorization Act for Fiscal Year 2018, Congress directed the Secretary of Defense, in consultation with the Director of Management and Budget, to update these criteria. To the best of our knowledge, no action has been taken to fulfill this requirement.

Instead, the Administration has moved in the opposite direction. On March 1, 2019, the Department of Defense took the unprecedented step of proposing a reprogramming to use OCO/GWOT funds to repair storm damage at Camp Lejeune and Tyndall Air Force Base. On March 11th, the President's budget request further abused the intent of OCO/GWOT funding by including \$98 billion needed for base requirements in the OCO/GWOT request for the singular purpose of evading budget caps. The Administration knows well that this request is a gimmick, as this funding is expressly labelled "OCO for base" in all official budget documents produced by the Department of Defense.

As a member of Congress, you professed concern about the use of OCO/GWOT. In June 2016, you authored an amendment to the defense authorization bill to stop spending OCO/GWOT funds on military projects that did not relate to the war. While the amendment received only 112 votes in the House, it is clear that your views on the abuse of OCO/GWOT were strongly held.

Subsequently, on February 12, 2018, as Director of the Office of Management and Budget, you wrote to former Speaker of the House Paul Ryan, "In FY 2020 and the outyears, the Administration proposes returning to OCO's original purpose by shifting certain costs funded in OCO to the base budget where they belong." As you are aware, the FY 2020 budget proposal adopts the very approach you decried.

We strongly urge you, as the Senate-confirmed Director of the Office of Management and Budget and acting White House Chief of Staff, to change the Administration's use of OCO/GWOT funding to a more responsible approach that you once advocated. We stand ready to work with you to look after the needs of our service members in a fiscally responsible manner.

Sincerely,



Richard J. Durbin
Vice Chairman
Subcommittee on Defense



Jack Reed
Ranking Member
Armed Services Committee